

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MERILYNN JORDAN,

Plaintiff,

VS.

WAL-MART STORES EAST I, L.P.,
d/b/a WAL-MART SUPERCENTER
STORE #1188,

Defendant.

Cause No: 4:17-CV-1910

DEFENDANT DEMANDS TRIAL BY JURY

NOTICE OF REMOVAL

COMES NOW Defendant Wal-Mart Stores East, LP (improperly identified as Wal-Mart Stores East, LP d/b/a Wal-Mart Supercenter Store #1188) (“Defendant”), and hereby files its Notice of Removal of the above-entitled action to the United States District Court for the Eastern District of Missouri, Eastern Division, pursuant to 28 U.S.C. §§ 1332, 1441(a) and 1446, and in support of its Removal, states as follows:

1. The above-entitled action, originally filed in the Circuit Court of St. Louis County, State of Missouri, is a civil action at law brought by the above-named plaintiff against defendant Wal-Mart Stores East, LP to recover monetary damages.
2. Plaintiff is a resident and citizen of the State of Missouri.
3. Defendant Wal-Mart Stores East, LP was, at the time of the commencement of said action and ever since has been and still is, a foreign limited partnership organized and existing under the laws of the State of Delaware, and maintains its principal place of business in the State of Arkansas, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri.
4. WSE Management, LLC, general partner, and WSE Investment, LLC, limited partner are the sole partners comprising Wal-Mart Stores East, LP.

5. WSE Management, LLC, at the time of the commencement of said action and ever since, has been and still is a foreign limited liability company organized and existing under the laws of the state of Delaware, with its chief and principal office and place of business in the State of Arkansas, and is not a citizen or resident of the State of Missouri.

6. WSE Investment, LLC, at the time of the commencement of said action and ever since, has been and still is a foreign limited liability company organized and existing under the laws of the state of Delaware, with its chief and principal office and place of business in the State of Arkansas, and is not a citizen or resident of the State of Missouri.

7. The sole member of both WSE Management, LLC and WSE Investment, LLC, at the time of the commencement of said action and ever since, has been and still is Wal-Mart Stores East, Inc.

8. At the time of the commencement of said action and ever since, Wal-Mart Stores East, Inc. has been and still is a foreign corporation incorporated and existing under the laws of the State of Delaware with its principal place of business in the State of Arkansas, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri.

9. The controversy in said action is wholly between citizens of different states.

10. The matter in controversy, exclusive of interest and costs, exceeds the sum or value of Seventy Five Thousand Dollars (\$75,000.00).

11. Therefore, this Court has original jurisdiction pursuant to 28 U.S.C. §1332 and this matter may be removed to this Court pursuant to 28 U.S.C. §1441.

WHEREFORE, Defendant Wal-Mart Stores East, LP prays this Honorable Court to accept jurisdiction of said action.

Edward W. Zeidler II

John P. Rahoy #41896
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BROWN & JAMES, P.C.
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The undersigned hereby certifies that the above and foregoing pleading was filed electronically with the above-captioned Court, with notice of case activity to be generated and sent electronically by the Clerk of said Court to: tpg@germerothlaw.com, Mr. Thomas P. Germeroth, The Germeroth Law Firm, Attorneys for Plaintiff, 7710 Carondelet, Suite 215, Clayton, MO 63105, this 5 day of JULY, 2017. The undersigned further certifies that he signed an original of this pleading and that an original of this pleading shall be maintained for a period not less than the maximum allowable time to complete the appellate process.

Edward W. Zeidler II

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